

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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RUBY BOBO, DOUGLAS BOBO and  
MERRIWEATHER BOBO,

UNPUBLISHED  
October 15, 1996

Plaintiffs-Appellees,

v

No. 167158  
LC No. 90-388539-PD

URI GILL, d/b/a/ THE AUTO DOCTOR,

Defendant-Appellant.

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Before: O'Connell, P.J., and Gribbs and T. P. Pickard,\* JJ.

MEMORANDUM.

Defendant appeals by right from the order of default judgment, the order for immediate return to plaintiffs of one 1969 Rolls Royce VIN # SRX7165, and the order of dismissal. We affirm.

The trial court did not violate MCR 2.603(B)(1)(b), by failing to give defendant seven days' notice of the request for judgment. A trial court's authority to enter a default or default judgment against a party must fall within the parameters of the authority conferred under the court rules. *Kornak v Auto Club Ins Ass'n*, 211 Mich App 416, 420; 536 NW2d 553 (1995). The trial court entered a default when defendant failed to appear for a scheduled trial. Thus, notice was not required to enter a default judgment. MCR 2.603(B)(1)(d). Further, in light of the underlying facts and circumstances, the remedy fashioned by the trial court, which included dismissal of the parties' claims and counterclaims, was not harsh and did not represent an abuse of discretion.

Affirmed.

/s/ Peter D. O'Connell  
/s/ Roman S. Gribbs  
/s/ Timothy P. Pickard

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\* Circuit judge, sitting on the Court of Appeals by assignment.